

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|----------------------------------|---|----------------------------|
| THE NORTH FACE APPAREL CORP., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 4:09-cv-02029-RWS |
| |) | |
| WILLIAMS PHARMACY, INC., et al., |) | |
| |) | |
| Defendants. |) | |

CONSENT MOTION FOR ONE-DAY EXTENSION OF TIME

Plaintiff The North Face Apparel Corp., pursuant to Federal Rule of Civil Procedure 6(b) and with the consent of opposing counsel, respectfully moves this Court for a one-day extension of time within which to file its Reply Brief in Support of its Motion for Contempt. In support of this motion, Plaintiff states as follows:

1. On Friday, September 21, 2012, Defendant James A. Winkelmann, Jr. and Interveners James A. Winkelmann and Why Climb Mountains, LLC (together, the “Contempt Respondents”) filed their 23-page Opposition to the Motion for Contempt, along with three exhibits (Doc. 94).
2. Pursuant to the Court’s Memorandum and Scheduling Order of August 14, 2012 (Doc. 85), Plaintiff’s Reply Brief is due tomorrow, September 28, 2012.
3. Due to its attorneys’ scheduling conflicts in other lawsuits, Plaintiff seeks a one-day extension of time until Monday, October 1, 2012, within which to file its Reply Brief.
4. Counsel for the Contempt Respondents graciously consented to this extension.

WHEREFOR, Plaintiff respectfully requests that the Court grant it an extension until October 1, 2012 within which to file its Reply Brief.

Respectfully submitted,

/s/ Michael A. Kahn
Michael A. Kahn, #35411MO
BRICKHOUSE LAW GROUP
1006 Olive Street, Suite 303
St. Louis, MO 63101-2034
Telephone: (314) 932-1076
Facsimile: (314) 932-1078
mkahn@brickhouselaw.com

G. Roxanne Elings (*pro hac vice*)
DAVIS WRIGHT TREMAINE LLP
1633 Broadway, 27th Floor
New York, NY 10019-6708
Telephone: (212) 603-6416
Facsimile: (212) 379-5226
RoxanneElings@dwt.com

Attorneys for Plaintiff The North Face
Apparel Corp.

CERTIFICATE OF SERVICE

The undersigned certifies that on this 27th day of September, 2012, a true copy of this court filing was served via the Court's electronic filing system on all counsel of record,

/s/ Michael A. Kahn